

JC10 Rec'd PCT/PTO 14 JAN 2002

FORM PTO-1390 (Modified) (REV 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 217930US0PCT	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 10/030685	
INTERNATIONAL APPLICATION NO. PCT/JP00/04760		INTERNATIONAL FILING DATE 14 JULY 2000		PRIORITY DATE CLAIMED 16 JULY 1999	
TITLE OF INVENTION PESTICIDAL COMPOSITION AND METHOD FOR CONTROLLING PESTS					
APPLICANT(S) FOR DO/EO/US Munekazu OGAWA, et al.					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 					
Items 13 to 20 below concern document(s) or information included:					
<ol style="list-style-type: none"> 13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A change of power of attorney and/or address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 22. <input type="checkbox"/> Certificate of Mailing by Express Mail 23. <input checked="" type="checkbox"/> Other items or information: Notice of Priority / PCT/IB/304 / PCT/IB/308 PTO-1449 					

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.01) <div style="font-size: 24pt; font-weight: bold; text-align: center;">10/030685</div>		INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/JP00/04760</div>		ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">217930US0PCT</div>	
24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <div style="margin-left: 20px;"><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</div> <div style="text-align: right; margin-right: 50px;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than _____ months from the earliest claimed priority date (37 CFR 1.492 (e)). <div style="text-align: right; margin-right: 50px;"><input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30</div>				<div style="border: 1px solid black; padding: 2px;">\$890.00</div> <div style="border: 1px solid black; padding: 2px;">\$130.00</div>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	4 - 20 =	0	x \$18.00	\$0.00	
Independent claims	1 - 3 =	0	x \$84.00	\$0.00	
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,020.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				<div style="border: 1px solid black; padding: 2px;">\$0.00</div>	
SUBTOTAL =				\$1,020.00	
Processing fee of \$130.00 for furnishing the English translation later than _____ months from the earliest claimed priority date (37 CFR 1.492 (f)). <div style="text-align: right; margin-right: 50px;"><input type="checkbox"/> 20 <input type="checkbox"/> 30</div>				<div style="border: 1px solid black; padding: 2px;">\$0.00</div>	
TOTAL NATIONAL FEE =				\$1,020.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).			<input type="checkbox"/>	<div style="border: 1px solid black; padding: 2px;">\$0.00</div>	
TOTAL FEES ENCLOSED =				\$1,020.00	
				Amount to be:	\$
				refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$1,020.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0030</u> A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
<div style="border: 1px solid black; padding: 10px; text-align: center;"><div style="font-size: 24pt; font-weight: bold; margin-bottom: 10px;">22850</div><div style="font-size: 18pt; font-weight: bold; margin-bottom: 10px;">Surinder Sachar</div><div style="font-size: 18pt; font-weight: bold;">Registration No. 34,423</div></div> <div style="margin-top: 20px; font-size: 12pt;">(703) 413-3000</div>					
<div style="border: 1px solid black; padding: 10px;"><div style="font-size: 18pt; font-weight: bold; margin-bottom: 10px;">Norman F. Oblon</div><div style="font-size: 18pt; font-weight: bold; margin-bottom: 10px;">24,618</div><div style="font-size: 18pt; font-weight: bold; margin-bottom: 10px;">Jan 14 2002</div></div>					

Docket No. 217930US0PCT

IN RE APPLICATION OF: Munekazu OGAWA, et al.

SERIAL NO: NEW U.S. PCT APPLICATION BASED ON PCT/JP00/04760

FILED: HEREWITH

FOR: PESTICIDAL COMPOSITION AND METHOD FOR CONTROLLING PESTS

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Notice of Priority/PCT Transmittal Letter/PCT/IB/304/Preliminary Amendment
PCT/IB/308/International Preliminary Examination Report/Check for \$1,020.00
International Search Report/Information Disclosure Statement/PTO-1449

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	4	MINUS	20	0	× \$18 =	\$0.00
INDEPENDENT	1	MINUS	3	0	× \$84 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
		TOTAL				\$0.00

☐ A check in the amount of **\$0.00** is attached.

- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Norman F. Oblon

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10/030685
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217930US-0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
MUNEKAZU OGAWA ET AL : ATTN: APPLICATION DIVISION
SERIAL NO: NEW U.S. PCT APPLN :
(Based on PCT/JP00/04760)
FILED: HEREWITH :
FOR: PESTICIDAL COMPOSITION AND:
METHOD FOR CONTROLLING PESTS

PRELIMINARY AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Prior to examination on the merits, please amend the above-identified application as follows.

IN THE CLAIMS

Please amend the claims as shown in the marked-up copy following this amendment to read as follows.

3. (Amended) A method for controlling pests, which comprises applying the pesticidal composition as defined in Claim 1 to the pests.

Please add the following new claim.

4. (New) A method for controlling pests, which comprises applying the pesticidal composition as defined in Claim 1 to the pests.